



06-02 04

RCE/761 +

PTO/SB/30 (10/01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Application Number	09/750,990
Filing Date	December 28, 2000
First Named Inventor	Jorn Borch SOE
Group Art Unit	1761
Examiner Name	Keith D. Hendricks
Attorney Docket Number	674509-2028

*Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under CFR 1.114.**

a. Previously submitted

i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered)

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on

iii. Other

b. Enclosed

i. Amendment/Reply

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103© for a period of __ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(I) required)

b. Other: Pursuant to 37 C.F.R. §§1.136(a) and 1.17(a), it is respectfully requested that the period for reply be extended three months, i.e. up to and including June 4, 2004. Payment in the amount of \$950.00 may be charged to the deposit account as authorized below.

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge any additional fees, or credit any overpayments, to **Deposit Account No. 50-0320.**

b. Check in the amount of \$ 950.00 is enclosed for the following:

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Thomas J. Kowalski Angela M. Nigro	Registration No. (Attorney/Agent)	32,147 51,107
Signature	<i>Thomas J. Kowalski</i>	Date	June 1, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Sadelem Ahmed		
Signature	<i>S. Ahmed</i>	Date:	June 1, 2004

"Express Mail" mailing label number: EV467847995US

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jørn Borch SØE
U.S. Serial No. : 09/750,990
Filing Date : December 28, 2000
For : FOODSTUFF
Examiner : Keith D. Hendricks
Art Unit : 1761

745 Fifth Avenue, New York, NY 10151

EXPRESS MAIL

Mailing Label Number: EV467847995US
Date of Deposit: June 1, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: **Mail Stop 313(c), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Saddam Ahmed
(Typed or printed name of person mailing paper or fee)

S. Ahmed
(Signature of person mailing paper or fee)

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22303-1450

Dear Sir:

This Preliminary Amendment is being filed with a Request for Continued Examination. As the RCE contains a Request for Extension of Time, it is believed that no fees are due by entry of this paper. However, the Commissioner is hereby authorized to charge any additionally required fee; or credit any overpayment in fees, to Deposit Account No. 50-0320.